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BEFORE THE
SURFACE TRANSPORTATION BOARD

Finance Docket No. 34905

VILLAGE OF CROTON-ON-HUDSON, NEW YORK

v.

BUFFALO SOUTHERN RAILROAD, INC.; GREENTREE REALTY, LLC; RS
ACQUISITION CO., LLC; and NORTHEAST INTERCHANGE RAILWAY, LLC

REPLY OF THE VILLAGE OF CROTON-ON-HUDSON IN OPPOSITION TO
PETITION OF GREENTREE REALTY LLC TO HOLD PROCEEDINGS IN ABEYANCE

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Dated: August 21, 2006

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The Village of Croton-on-Hudson (the "Village") responds in opposition to the Petition of Greentree Realty LLC ("Greentree") to Hold Proceedings in Abeyance (the "Petition"), filed by Greentree on August 9, 2006. The Village previously responded on August 4, 2006 to a similar petition filed by defendant Buffalo Southern Railroad, Inc. ("BSOR"). For the reasons stated in the Village's August 4, 2006 Reply, which are incorporated herein, the Village respectfully submits that this Formal Complaint proceeding, including discovery served by the Village on Greentree, should proceed. That discovery, like the discovery served on BSOR, could lead to the discovery of admissible evidence relevant to the question of the legality of BSOR's operation.

The Village respectfully requests the Board to deny the Petition in all respects.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that this Reply of the Village of Croton-On-Hudson in Opposition to Petition of Greentree Realty LLC to Hold Proceedings in Abeyance was served via electronic mail and first-class mail on August 21 2006, to the following parties:

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